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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/116,425 07/15/98 PIECHOWIAK

R M-2760-3P

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 EXAMINER

CHERUBIN, Y

ART UNIT	PAPER NUMBER
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2755 *3***DATE MAILED:** 07/05/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

<b>Office Action Summary</b>	Application No. <b>09/116,425</b>	Applicant(s) <b>Piechowiak et al.</b>
	Examiner <b>Yveste Cherubin</b>	Group Art Unit <b>2755</b>

Responsive to communication(s) filed on Jul 15, 1998

This action is **FINAL**.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

#### Disposition of Claims

Claim(s) 1-6 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

Claim(s) \_\_\_\_\_ is/are allowed.

Claim(s) 1-6 is/are rejected.

Claim(s) \_\_\_\_\_ is/are objected to.

Claims \_\_\_\_\_ are subject to restriction or election requirement.

#### Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All  Some\*  None of the CERTIFIED copies of the priority documents have been

received.

received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

#### Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

Interview Summary, PTO-413

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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## DETAILED ACTION

### *Priority*

1. This application is a continuation-in-part of and carries priority from Application Serial No. 08/727,805 which itself carries priority from Application Serial No. 08/200,121/Patent No. 5,580,309 filed February 22, 1994.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1 - 6** are rejected under 35 U.S.C. 103(a) as being unpatentable over Okada (US Patent No. 4,508,345) in view of Manship et al. (US Patent No. 5,393,061).

With respect to **claims 1, 4**, Okada discloses a slot machine that has an original game and a bonus game (abstract) (two games in one machine). Okada also discloses the use of circuitry within said slot machine (col 2, lines 61 - 67) (col 3 +). In addition, Okada discloses a bonus game (additional game or bonus game) when first game (original game) results meet certain criteria (col 5, lines 12 - 16), and the use of coins or tokens to award players (col 1, lines 19 - 26) . However, Okada does not explicitly disclose the use of a video screen display within said slot machine.

Manship discloses the use of a slot machine including a video display screen (abstract).

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When looking at these two references, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the device of Okada by combining it with the device of Manship. Such modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so in order to display the result of both games.

As to claims 2 - 3, 5 - 6, Okada discloses said bonus game result is a bonus award for achieving a particular first game result (col 5, lines 12 - 16) and said bonus game result identifies a number of additional coins paid to a player (col 5, lines 22 +)(col 6, lines 1 - 2).

4. The prior art of record and not relied upon is considered pertinent to the Applicant's disclosure.

Each reference disclosed below is relevant to one or more of the Applicant's claimed invention.

- a) US Patent No. 4,572,509 to Sitrick which teaches video game network.
- b) US Patent No. 5,280,909 to Tracy which teaches gaming system with progressive jackpot.
- c) US Patent No. 5,249,800 to Hilgendorf et al. which teaches progressive gaming control and communication system.
- d) US Patent No. 5,401,023 to Wood which teaches variable awards wagering system.
- e) US Patent No. 5,722,891 to Inoue which teaches slot machine having two distinct sets of reels.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Yveste G. Cherubin** whose telephone number is **(703) 306-3027**. The examiner can normally be reached on **Monday - Friday from 9:30 AM to 6:00 PM**.

The fax phone number for the organization where this application or proceeding is assigned is **(703) 305-9731**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is **(703) 305-9600**.

Y.C./Y.C.

June 23, 2000

*YGC*  
*Yan*

*AO*  
ALVIN E. OBERLEY  
SUPERVISORY PATENT EXAMINER  
GROUP 2700